

Approved for use through 3/31/2007 OMB 0651-0021

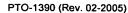
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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ATTORNEY'S DOCKET NUMBER

T		SMITTAL LETTER TO THE UN		ATTORNEY'S DOCKET NUMBER 095309.56173US				
DESIGNATED/ELECTED OFFICE (DO/EO/US)				U.S. APPLICATION NO. (If known, see 37 CFR 1.5)				
. CC	NCE	RNING A SUBMISSION UNDE	R 35 U.S.C. 371	10/531,583				
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING					PRIORITY DATE CLAIMED			
TITI E	OF IN	PCT/EP03/10459	09/19	/2003	10/19/2002			
TITLE OF INVENTION DEVICE FOR CONTROLLING AN ENGINE OR A GEARBOX								
APPLICANT(S) FOR DO/EO/US								
Werner MAYER, et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:								
1.		This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.						
2.		This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.						
3.		This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.						
4.	\boxtimes	The US has been elected (Article 31).						
5.		A copy of the International Application as filed (35 U.S.C. 371(c)(2))						
	ш	a. is attached hereto (required only if not communicated by the International Bureau).						
		b. has been communicated by the International Bureau.						
		c. Is not required, as the application was filed in the United States Receiving Office (RO/US).						
6.	П	An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).						
	_	a. is attached hereto.						
		b. has been previously submit	tted under 35 U.S.C. 15	4(d)(4).				
7.		Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))						
		a. are attached hereto (required only if not communicated by the International Bureau).						
		b. have been communicated by the International Bureau.						
		c. have not been made; however, the time limit for making such amendments has NOT expired.						
		d. have not been made and w	have not been made and will not be made.					
8.		An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).						
9.	\boxtimes	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).						
10.		An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).						
	Items	ns 11 to 20 below concern document(s) or information included:						
11.		An Information Disclosure Statement under 37 CFR 1.97 and 1.98.						
12.		An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.						
13.		A preliminary amendment.						
14.	\boxtimes	A Supplemental Application Data Sheet under 37 CFR 1.76.						
15.		A substitute specification.						
16.		A power of attorney and/or change of address letter.						
17.		A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.						
18.		A second copy of the published International Application under 35 U.S.C. 154(d)(4).						
19.		A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).						
20.	\boxtimes	Other items or information: Copy of the Notification of Missing Requirements.						

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER 10/531,583 PCT/EP03/10459 095309.56173US CALCULATIONS PTO USE ONLY The following fees have been submitted Basic national fee (37 C.F.R. §1.492(a))......\$300.00 21. \$ 22. Examination fee (37 C.F.R. §1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0.00 All other situations\$200.00 \$ Search fee (37 C.F.R. §1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority......\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.......\$400 \$ All other situations TOTAL OF 21, 22 AND 23 = \$ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Number of each additional 50 or fraction Extra Sheets **Total Sheets** RATE thereof (round up to a whole number) \$ - 100 / 50 = x 250 Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest \$ claimed priority date (37 CFR 1.492(h)). **CLAIMS** NUMBER FILED NUMBER EXTRA RATE Total claims \$ - 20 x 200 Independent claims - 3 X \$ MULTIPLE DEPENDENT CLAIM(S) (if applicable) 360 \$ **TOTAL OF ABOVE CALCULATIONS =** \$ Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. \$ Processing fee of \$130.00 for furnishing the English translation later than 30 months from the \$ earliest claimed priority date (37 CFR 1.492(i)).+ **TOTAL NATIONAL FEE =** \$ Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property+ \$ **TOTAL FEES ENCLOSED =** \$ Amount to be refunded: Amount to be charged: A check in the amount of \$ to cover the above fees is enclosed. Please charge my Deposit Account No. 05-1323 (Attorney Docket No. 095309.56173US) in the amount of \$ to cover the above fees. b. A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit C. Account No. 05-1323 (Attorney Docket No. 095309.56173US). A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not đ. be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: Crowell & Moring, LLP Intellectual Property Group SIGNATURE P.O. Box 14300 Gary R. Edwards NAME Washington, D.C. 20044-4300 31,824

GRE/dmg

Tel. No. (202) 624-2500

Fax No. (202) 628-8844

REGISTRATION NUMBER

November 16, 2005

DATE





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United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE UNITED STATES DEPARTMENT OF COMMI United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT 10/531,583

Werner Meyer 095309.56173US

INTERNATIONAL APPLICATION NO.

ATTY. DOCKET NO.

PCT/EP03/10459

23911 **CROWELL & MORING LLP** INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300

I.A. FILING DATE PRIORITY DATE 09/19/2003 10/19/2002

CONFIRMATION NO. 1477 371 FORMALITIES LETTER *OC000000017144958*

Date Mailed: 10/03/2005

Require duc: 12.3.05 Miss.

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/18/2005
- Copy of the International Search Report filed on 04/18/2005
- Copy of IPE Report filed on 04/18/2005
- Preliminary Amendments filed on 04/18/2005
- Information Disclosure Statements filed on 04/18/2005
- Small Entity Statement filed on 04/18/2005
- U.S. Basic National Fees filed on 04/18/2005
- Substitute Specification filed on 04/18/2005
- Priority Documents filed on 04/18/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

 Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)





A copy of this notice ${\it MUST}$ be returned with the response.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/531,583	PCT/EP03/10459	095309.56173US

FORM PCT/DO/EO/905 (371 Formalities Notice)